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4 Counsel for Defendant
5
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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF WASHINGTON
9

10 UNITED STATES OF AMERICA

Case No. 15 CR 6049-EFS-4

11 Plaintiff,

MOTION FOR NEW COUNSEL

12 vs.

May 29, 2018 at 9:00 am Richland

13 ALEXIS JOEL GARCIA PALOMINO

Oral Argument Requested

14 Defendant.
15
16 _____/

17
18 The defendant's Counsel hereby moves the Court at the direction of
19 Defendant for the appointment of new counsel in place of Jeffrey S. Niesen. This
20 motion is based on the declaration of the undersigned set forth below.
21

22 Dated: May 14, 2018

23 Law Office of Jeffrey S. Niesen

24 s/Jeffrey S. Niesen for

25 ALEXIS JOEL GARCIA PALOMINO
26
27
28

Declaration of Jeffrey S. Niesen

1 I, Jeffrey S. Niesen declare and state as follows:

- 2 1. On March 26, 2018, I was appointed as CJA counsel for the
3 defendant Alexis Joel Garcia Palomino.
4
5 2. On May 9th, 2018, I discussed the matter with my client, my
6 conflicting travel with the existing trial date, and my need to
7 request a 1 week continuance. He refused to give his consent to the
8 requested continuance and instead directed me to file a motion for
9 a substitution of counsel. As best as I can tell the reason for his
10 request was his belief that because I failed to file motions
11 challenging the sufficiency of the government's evidence or the
12 fact that he was incarcerated in Canada for over two years for this
13 conduct, he felt that I was not zealous in his defense and he would
14 prefer another counsel appointed. I discussed the matter with him
15 at length and told him that I would file the motion at his direction.
16
17

18 The foregoing is submitted subject to penalty of perjury under the Laws of the
19 United States.
20

21 Dated: May 14, 2018

s/Jeffrey S. Niesen

22
23 Certificate of Service
24

25 I hereby certify that on May 14, 2018, I electronically filed the foregoing with the
26 Clerk of the Court using the CM/ECF System which will send notification of such
27 filing to the following: AUSA Stephanie Van Marter Counsel for the United States
28 of America.

s/Jeffrey S. Niesen (33850),
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